

**Notice of Intent to Adopt a Rule**  
LSA Document #13-533

Under [IC 4-22-2-23](#), the Office of the Secretary of Family and Social Services intends to adopt a rule concerning the following:

**OVERVIEW:** Amends [405 IAC 2-1-1](#) concerning definitions. Amends [405 IAC 2-1-2](#) regarding interviews for aged, blind, and disabled applicants to the Medicaid program. Adds [405 IAC 2-1-1](#) to implement a change in the method of determining Medicaid eligibility for aged, blind, and disabled individuals. Amends [405 IAC 2-2-2](#) to incorporate the federal standards for determining blindness. Amends [405 IAC 2-2-3](#) to incorporate the federal standards for determining disability. Amends [405 IAC 2-2-4](#) regarding payment for examinations and tests. Amends [405 IAC 2-3-14](#) to clarify the methodology for counting applicant resources. Amends [405 IAC 2-3-17](#) regarding treatment of income for institutionalized applicants with a community spouse. Amends [405 IAC 2-3-22](#) regarding the treatment of Miller trusts. Amends [405 IAC 2-9-1](#) through [405 IAC 2-9-4](#), [405 IAC 2-9-6](#), and [405 IAC 2-9-7](#) to align with new eligibility criteria for Medicaid for Employees with Disabilities. Repeals [405 IAC 2-3-3](#), [405 IAC 2-3-10](#), [405 IAC 2-3-11](#), [405 IAC 2-3-13](#), [405 IAC 2-3-15](#), [405 IAC 2-3-18](#) through [405 IAC 2-3-21](#), [405 IAC 2-6-1](#), [405 IAC 2-7-1](#), and [405 IAC 2-7-2](#). Comments and questions may be addressed to the Small Business Regulatory Coordinator for this rule. Statutory authority: [IC 12-8-6.5-5](#); [IC 12-15](#).

For purposes of [IC 4-22-2-28.1](#), the Small Business Regulatory Coordinator for this rule is:

Matthew P. Cesnik  
Eligibility Director  
FSSA Office of Medicaid Policy and Planning  
Indiana Government Center South  
402 West Washington Street, Room W374  
Indianapolis, IN 46204  
(317) 234-3394  
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For purposes of [IC 4-22-2-28.1](#), the Small Business Ombudsman designated by [IC 5-28-17-5](#) is:

Eric P. Shields  
Indiana Economic Development Corporation  
One North Capitol, Suite 700  
Indianapolis, IN 46204  
(317) 234-3997  
[smallbizombudsman@iedc.in.gov](mailto:smallbizombudsman@iedc.in.gov)

Resources available to regulated entities through the small business ombudsman include the ombudsman's duties stated in [IC 5-28-17-5](#), specifically [IC 5-28-17-5\(9\)](#), investigating and attempting to resolve any matter regarding compliance by a small business with a law, rule, or policy administered by a state agency, either as a party to a proceeding or as a mediator.

*Posted: 12/04/2013 by Legislative Services Agency*

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